IN THE HIGH COURT OF JUDICATURE FOR
RAJASTHAN AT JODHPUR.

...

S.B. CIVIL WRIT PETITION NO.4455/2005

Goma Ram

Versus

The State of Rajasthan and ors.

Date of Order : 27.7.2005

PRESENT

HON'BLE MR. JUSTICE R.P. VYAS

Mr. Anand Purohit, for the petitioner/s

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The instant petition has been filed by the petitioner assailing the validity of impugned order of transfer dtd.14.7.2005 (Annex.3) and it has been prayed that the impugned order dated 14.7.2005 (Annex.-3) so far as it relates to the petitioner may kindly be quashed and set-aside.

The main submission of learned counsel for the petitioner is that he has been shown to be transferred on his own request, whereas no such request was made by him for his transfer from Barmer to Jaisalmer.

During the course of argument, it has been requested by the learned counsel for the petitioner that the competent authority be directed to consider the representation of the petitioner. Since the request of the petitioner is only for consideration of the representation, therefore, the instant petition is disposed of at this stage by giving a direction to the competent authority to consider the representation of the petitioner in accordance with law only.

Thus, this writ petition filed by the petitioner is disposed of in the manner that the petitioner is directed to file a fresh representation within a period of one week from today and the competent authority is directed to consider and decide the same either way in accordance with law within a period of 15 days from the date of receipt of the said representation. If it is found that the petitioner is entitled for any relief in accordance with law, then the same may be given to the petitioner and if the petitioner is not found entitled to the relief sought for, then a reasoned and speaking order strictly in accordance with law may be passed.

Meanwhile, status quo as it exists today shall be maintained till the representation of the petitioner is decided.

(R.P.VYAS)J.

Rm/